



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Continuation Patent Application of:

Robert M. Davis et al.

Serial No.: To be Assigned

Filed: Herewith

For: *V-Shaped Disc Screen & Method of  
Classifying Mixed Recyclable  
Materials into Four Streams*

Examiner: Daniel K. Schlak (expected)

Group Art Unit: 3653 (expected)

TERMINAL DISCLAIMER TO OBVIATE A  
DOUBLE PATENTING REJECTION (37 CFR 1.321(b))

Honorable Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

I, Michael H. Jester, am a registered patent attorney, and I represent CP Manufacturing, Inc., a California corporation, the owner of all right, title and interest in and to the above-captioned application and the invention claimed therein.

Said CP Manufacturing, Inc. is also the owner of all right, title and interest in and to U.S. Patent Application Serial No. 10/232,032 filed August 28, 2002, for which the issue fee has been paid, by reason of an assignment recorded December 2, 2002, at Reel 013545, Frame 0284.

Said CP Manufacturing, Inc. disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-captioned continuation application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of the patent expected to be granted based on said U.S. Patent Application Serial No. 10/232,032. Said CP Manufacturing, Inc. hereby agrees that any

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Terminal Disclaimer

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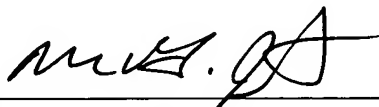
patent so granted on the above-captioned continuation application will be enforceable only for and during such period that it and the U.S. patent expected to be granted based on said patent application Serial No. 10/232,032 are commonly owned. This agreement runs with any patent granted on this continuation application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, CP Manufacturing, Inc. does not disclaim the terminal part of any patent granted on the above-captioned continuation application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the U.S. patent expected to be granted based on said patent application Serial No. 10/232,032, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned represents that he has full authority as the attorney for said CP Manufacturing, Inc. to make this terminal disclaimer on behalf of his client.

A check in the amount of \$110 is transmitted herewith to cover the large entity fee in accordance with 37 CFR 1.20(d).

Dated: Oct. 17, 2003

  
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Michael H. Jester  
Reg. No. 28,022